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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/802,031	03/08/2001	Toshihisa Satake	01-202	2801
7590	01/29/2004		EXAMINER	
Gregory P. LaPointe BACHMAN & LaPOINTE, P.C. Suite 1201 900 Chapel Street New Haven, CT 06510-2802			NGUYEN, BINH AN DUC	
			ART UNIT	PAPER NUMBER
			3713	
			DATE MAILED: 01/29/2004	
				11

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.	SATAKE, TOSHIHISA
Examiner Binh-An D. Nguyen	Art Unit 3713

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) Responsive to communication(s) filed on 03 November 2003.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-7 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 05 July 2001 is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. §§ 119 and 120

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some \* c) None of:  
1. Certified copies of the priority documents have been received.  
2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

- 13) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a) The translation of the foreign language provisional application has been received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

### Attachment(s)

- 1) Notice of References Cited (PTO-892)                    4) Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.  
2) Notice of Draftsperson's Patent Drawing Review (PTO-948)                    5) Notice of Informal Patent Application (PTO-152)  
3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.                    6) Other: \_\_\_\_\_

**DETAILED ACTION**

1. Applicant's letter sent September 30, 2003 (Paper No. 9) stating that the substitute specification of Paper No. 3 contains no new matter has been received. Further, the Amendment filed in Paper No. 10, November 3, 2003 has been received. According to the Amendment, claims 8 and 9 have been canceled and claim 5 has been amended. Currently, claims 1-7 are pending in the application. Acknowledgment has been made.

2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the method steps of claims 1-5 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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4. Claims 1-7, are rejected under 35 U.S.C. 103(a) as being unpatentable over Griffin et al. (4,952,922) in view of Itai et al. (5,880,709).

Griffin et al. teaches a game method, apparatus, or storage medium having readable program code means therein for determining specified object position, comprising: generating map data (or means thereto) to display a map image on a display of the game apparatus, the map image two-dimensionally expressing a corresponding three-dimensional map which includes information representing a predetermined three-dimensional field; virtually disposing the three-dimensional map in parallel to the map image at a backward position thereof seeing from a predetermined viewpoint, such that straight lines extending from the predetermined viewpoint to given points on a peripheral edge of the map image further pass through corresponding points on a peripheral edge of the three-dimensional map; projecting the predetermined viewpoint onto the three-dimensional map (Figures 3a-7b and column 1, line 57 to column 7, line 44); and detecting a point on the three-dimensional map where the projected viewpoint intersects the predetermined three-dimensional field (Figure 3a); virtually disposing the three-dimensional map in parallel to the map image at a backward position thereof seeing from a predetermined viewpoint, such that straight lines extending from the predetermined viewpoint to given points on a peripheral edge of the map image further pass through corresponding points on a peripheral edge of the three-dimensional map (Figure 3a); projecting the predetermined viewpoint onto the three-dimensional map via a position of the cursor displayed on the map image; and detecting a point on the three-dimensional map where the projected viewpoint intersects

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the predetermined three-dimensional field; the predetermined three-dimensional field includes a plurality of areas, and the detecting step includes detecting which of the plurality of areas includes the detected point (Figures 3a and 4); the map data generating step includes generating map data to display an area on the map image, which corresponds to the detected area, on the display to be distinguishable from other areas (123a-123c)(Figure 3b); the predetermined three-dimensional field represents a ground surface (figure 3a and 4). See also, Figures 1-7b and columns 1-10.

Griffin et al. does not explicitly teach the limitations of generating cursor data to display a cursor on the displayed map image; controlling a position of the displayed cursor in accordance with an instruction from an operator; and determining the detected point as a position where the cursor specifies on the displayed map image. Itai et al., however, teaches an image processing method and system for video game comprising generating cursor data to display a cursor on the displayed map image (Figures 3 and 6); controlling a position of the displayed cursor in accordance with an instruction from an operator; and determining the detected point as a position where the cursor specifies on the displayed map image (Figures 10A-10C). See also, Figures 1-9 and columns 4-13. It would have been obvious to a person of ordinary skill in the art at the time of the invention was made to combine Griffin et al.'s system and method for determining specified object position in three-dimensional space utilizing ray tracing and inverse ray tracing with Itai et al.'s cursor to come up with a faster 3D graphic generating system and process and provide more user friendly navigation interface for video game thus attracts more game players and increases profits.

5. Applicant's arguments (page 9, line 5 to page 10, line 10), filed in Paper No. 10, November 3, 2003 have been fully considered but they are not persuasive. Griffin et al. does teach the limitations of virtually disposing the three-dimensional map in parallel to the map image at a backward position thereof seeing from a predetermined viewpoint (eye) (Figures 3a-4), such that straight lines extending from the predetermined viewpoint to given points on a peripheral edge of the map image further pass through corresponding points on a peripheral edge of the three-dimensional map (Figure 3a); projecting the predetermined viewpoint onto the three-dimensional map; and detecting a point on the three-dimensional map where the projected viewpoint intersects the predetermined three-dimensional field (Figure 4); the predetermined three-dimensional field includes a plurality of areas, and the detecting step includes detecting which of the plurality of areas includes the detected point (Figures 3a and 4). Further, Itai et al., teaches an image processing method and system for video game comprising generating cursor data to display a cursor on the displayed map image (Figures 3 and 6); controlling a position of the displayed cursor in accordance with an instruction from an operator; and determining the detected point as a position where the cursor specifies on the displayed map image (Figures 10A-10C). Therefore, in view of a person of ordinary skill in the art, it would have been obvious to provide the means and method of generating cursor of Itai et al. to Griffin et al.'s system and method for determining specified object position in three-dimensional space to enhance faster speed of a 3D

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graphic generating system and provide more user friendly navigation interface for video game thus attracts more game players.

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Binh-An D. Nguyen whose telephone number is 703-305-5713. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Teresa Walberg can be reached on 703-308-1327. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9306 for regular communications and (703) 872-9306 for After Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1148.

BN

  
Teresa Walberg  
Supervisory Patent Examiner  
Group 3700